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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,959	12/11/2000	Doron Elgressy	0655/62931	5350

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EXAMINER

NGUYEN, MINH DIEU T

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 05/06/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/622,959

Applicant(s)

ELGRESSY ET AL.

Examiner

Minh Dieu Nguyen

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. The preliminary amendment has been received and entered with the amendment of claims 3, 7-8 and the addition of claims 9-14.
2. Claims 1-14 are pending.

Specification

3. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-14** are rejected under 35 U.S.C. 102(e) as being anticipated by Touboul, US Patent 6,092,194.

a) **As to claim 1**, Touboul discloses a system and method for protecting a computer and a network from hostile downloadables comprising the steps of

i) providing a list of services (col. 5, lines 59-67 to col. 6, lines 1-4; Fig. 3, element 310) that are not allowed for access by unspecified applications (col. 4, lines 21-22)

ii) when such unspecified application runs on the workstation, preventing the application from accessing any resource directly (col. 3, lines 12-13)

iii) analyzing any direct or indirect request for access to specific services, to determine whether such request is allowable according to the list defined under i) above (col. 4, lines 18-21)

iv) if the request is allowable, allowing the workstation to process it (Fig. 6C, element 666)

v) if the request is not allowable, preventing the unspecified application from accessing the requested resource (Fig. 6C, element 670)

wherein the resource may be any local or remote resource, including, but not limited to, memory allocation, files, directories, operations with files and directories, such as copy, delete or compress, or any other operation leading to a permanent change in the workstation or its periphery (col. 5, lines 59-67 to col. 6, lines 1-4).

b) **As to claim 2**, Touboul discloses the method wherein the list of services is provided as a look-up table (col. 5, lines 59-67 to col. 6, lines 1-4; Fig. 3, element 310; col. 5, lines 45-48).

c) **As to claims 3 and 9**, Touboul discloses the method wherein an unspecified application is an application which is not specifically identified in a pre-set list of applications (col. 4, lines 29-33).

d) **As to claims 4, 8, 10 and 12-14**, Touboul discloses the method wherein the pre-set list of applications includes a list of resources which each application may utilize (col. 4, lines 33-40; Figure 4).

e) **As to claim 5**, Touboul discloses an agent for protecting a workstation against the hostile use of computer resources by an unspecified application running on the workstation comprising:

i) means for detecting an unspecified application running on the workstation (Figure 3, "Path 1")

ii) means for determining the requests for resources to be used by the unspecified application (col. 4, lines 29-37).

iii) means for identifying chain requests for resources utilization, wherein the chain requests comprise requests made by resources called by the unspecified application (Figure 3, "Path 4")

iv) means for determining whether requests made directly by the unspecified application are allowable (Figure 3, "Path 2")

v) means for determining whether requests made indirectly, as chain requests, by the unspecified application would be not allowable if made directly by the unspecified application (Figure 3, "Path 2" and "Path 4"; col. 5, lines 10-15)

vi) means for preventing the chain request from being processed, if it is determined that the request is not allowable, or that it would not be allowable if made directly by the unspecified application, and for allowing its processing if otherwise determined (Figure 6C).

f) **As to claim 6**, Touboul discloses the agent wherein the means for determining whether requests made directly or indirectly by the unspecified application are allowable comprise a look-up table including a list of services that are not allowed for access by unspecified applications (col. 5, lines 10-15; Figure 4).

g) **As to claims 7 and 11**, Touboul discloses the agent wherein the resources may be any local or remote resource, including, but not limited to, memory allocation, files, directories, operations with files and directories, such as copy, delete or compress, or any other operation leading to a permanent change in the workstation or its periphery (col. 5, lines 59-67 to col. 6, lines 1-4).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

a) Enhanced security for computer system resources with a resource access authorization control facility that creates files and provides increased granularity of resource permission, Lewis, US Patent 6,233,576.

b) Method and system for preventing the downloading and execution of executable objects, Elgressy et al., US Patent 6,449, 723.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 703-305-9727. The examiner can normally be reached on M-F 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on 703-308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Minh Dieu Nguyen *mdn*
Examiner
Art Unit 2137

mdn
4/21/04

Greg Morse
GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100